

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JOHN M. POSEL,
Plaintiff

Case No. 1:09-cv-149
Litkovitz, M.J.

vs

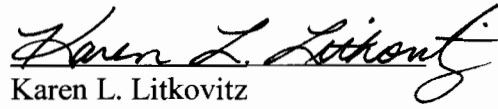
THE DAYTON POWER & LIGHT
dba STUART STATION, et al,
Defendant

ORDER

This matter is before the Court on defendant Mid-Atlantic Construction, Inc.'s Motion to Bifurcate Punitive Damages Claim. (Doc. 174). Plaintiff John M. Posel elected not to proceed with his punitive damages claim at trial, and a jury verdict has been rendered in favor of defendant Mid-Atlantic Construction, Inc. in this lawsuit. The motion to bifurcate is therefore **DENIED** as moot.

IT IS SO ORDERED.

Date: 2/27/2012


Karen L. Litkovitz
United States Magistrate Judge